

**OCT 17 2006**

**FROMMER LAWRENCE & HAUG LLP**

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**FACSIMILE COVER LETTER**

**To:** Commissioner for Patents  
Examiner Jackson, Jenise E.  
**Firm:** U.S. Patent and Trademark Office  
Art Unit 2131  
**Facsimile:** (571) 273-8300  
**From:** Thomas F. Presson  
**Date:** October 17, 2006  
**Re:** FLH Ref No.: 450100-4879  
Serial No: 09/309,412

**Number of Pages:** 15  
(including cover page)

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OCT 17 2006

PATENT  
450100-4879

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kazuhiro HARA  
Serial No. : 09/309,412  
For : DATA TRANSMISSION CONTROLLING METHOD AND DATA TRANSMISSION SYSTEM  
Filed : May 10, 1999  
Examiner : JACKSON, Jenise E.  
Art Unit : 2131

COMMISSIONER FOR PATENTS  
Alexandria, VA 22313-1450  
Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.  
☐ The fee has been calculated as shown below.  
☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

## Claims as Amended

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional fee
Total claims	19	Minus	37 =	0 x	\$50(25)	= \$0
Independent claims	2	Minus	4 =	0 x	\$200(100)	= \$0
Total additional fee for this amendment						= \$0

- .. If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.  
... If the highest number of total claims previously paid for is less than 20, write "20" in this space.  
... If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- ☐ This application contains a multiple dependent claim. The required fee of \$360 (\$180) has been previously paid ☐, or is paid herewith ☐.
- ☐ This response is being filed within the \_\_\_\_\_ month following the expiration of the term originally set therefor. This is a petition to request a \_\_\_\_\_-month extension of time. A check covering the cost of the petition is enclosed.
- ☐ A USPTO Form 2038 - Credit Card Payment Form in the amount of \$ \_\_\_\_\_ .00 is attached, which covers the cost of ☐ additional claims and ☐ -month petition for extension of time.
- ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 50-0320.
- ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

## CERTIFICATE OF FACSIMILE

FROMMER LAWRENCE & HAUG, LLP  
Attorneys for Applicant(s)

I hereby certify that this correspondence is being transmitted via facsimile to (571) 273-8300 on October 17, 2006.

Barnet Shindelman

(Name of person signing transmittal)

Signature

October 17, 2006

Date of Signature

By: Thomas F. Presson  
Reg. No. 41,442  
Tel. (858) 731-5000

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**CENTRAL FAX CENTER**U.S. Appln. No. 09/309,412  
Reply to Office Action dated July 20, 2006**OCT 17 2006****PATENT**  
450100-4879**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Kazuhiro Hara  
Serial No. : 09/309,412  
For : DATA TRANSMISSION CONTROLLING METHOD AND  
DATA TRANSMISSION SYSTEM  
Filed : May 10, 1999  
Examiner : Jackson, Jenise E.  
Art Unit : 2131  
Confirmation No. : 7480

745 Fifth Avenue  
New York, NY 10151  
(212) 588-0800**CERTIFICATE OF FACSIMILE**I hereby certify that this correspondence is being transmitted via  
facsimile to (571) 273-8300 on October 17, 2006.Barnet Shindlman  
(Name of person signing transmittal)  
SignatureOctober 17, 2006  
Date of Signature**AMENDMENT UNDER 37 C.F.R. § 1.121**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed on July 20, 2006, having a three-month  
statutory period for response set to expire on October 20, 2006, please amend the above-  
identified application as follows.

U.S. Appln. No. 09/309,412  
Reply to Office Action dated July 20, 2006

PATENT  
450100-4879

**Amendments to the Claims** are reflected in the listing of claims which begins  
on page 3 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.